APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/796,503	03/08/2004	Samuel Amin	MS1-1850US	3026

22801   7590   10/31/2007

LEE & HAYES PLLC
421 W RIVERSIDE AVENUE SUITE 500
SPOKANE, WA 99201

EXAMINER
CHEN, QING

ART UNIT	PAPER NUMBER
2191	

MAIL DATE	DELIVERY MODE
10/31/2007	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

-- *The MAILING DATE of this communication appears on the cover sheet with the correspondence address* --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on <u>06 August 2007</u>.

2a)☒ This action is **FINAL**.   2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) <u>1-29</u> is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) <u>1-29</u> is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☒ The drawing(s) filed on <u>06 August 2007</u> is/are: a)☐ accepted or b)☒ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a)☐ All b)☐ Some * c)☐ None of:

      1.☐ Certified copies of the priority documents have been received.

      2.☐ Certified copies of the priority documents have been received in Application No. _____.

      3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)

2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3) ☒ Information Disclosure Statement(s) (PTO/SB/08) Paper No(s)/Mail Date <u>20070806</u>.

4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ .

5) ☐ Notice of Informal Patent Application

6) ☐ Other: _____.

DETAILED ACTION

1.   This Office action is in response to the amendment filed on August 6, 2007.

2.   **Claims 1-29 are pending.**

3.   **Claims 1, 4-10, 15, and 20-29** have been amended.

4.   The objection to the drawings is withdrawn in view of Applicant's amendments to the drawings.

5.   The objections to the specification are withdrawn in view of Applicant's amendments to the specification.

6.   The objections to Claims 4-10, 12, 13, and 21-28 are withdrawn in view of Applicant's amendments to the claims. However, Applicant's amendments to the claims fail to fully address the objections to Claims 4, 12, 13, and 23-27 due to improper antecedent bases. Accordingly, these objections are maintained and further explained below.

7.   The nonstatutory obviousness-type double patenting rejections of Claims 10, 11, 14-16, and 19 are held in abeyance until allowance of one of the co-pending applications.

8.   The 35 U.S.C. § 112, second paragraph, rejections of Claims 15 and 20-29 are withdrawn in view of Applicant's amendments to the claims. However, Applicant's amendments to the claims fail to fully address the rejection of Claim 9 due to insufficient antecedent basis. Accordingly, this rejection is maintained and further explained below.

9.   The 35 U.S.C. § 101 rejections of Claims 10-29 are withdrawn in view of Applicant's amendments to the claims.

10.   It is noted that paragraphs [0041] and [0078] of the specification are amended, not paragraphs [0040] and [0076].

Response to Amendment

Information Disclosure Statement

11.   The information disclosure statement filed on August 6, 2007 fails to comply with the

provisions of 37 CFR 1.97, 1.98 and MPEP § 609 because each publication listed in an

information disclosure statement must be identified by publisher. It has been placed in the

application file, but the information referred to therein has not been considered as to the merits.

Applicant is advised that the date of any re-submission of any item of information contained in

this information disclosure statement or the submission of any missing element(s) will be the

date of submission for purposes of determining compliance with the requirements based on the

time of filing the statement, including all certification requirements for statements under 37 CFR

1.97(e). See MPEP § 609.05(a).

Drawings

12.   The drawings are objected to because:

- Reference number 226 in Figure 2 should be changed to 228 *(see Paragraph [0032])*.

- Reference number 228 in Figure 2 should be changed to 226 *(see Paragraph [0031])*.

Corrected drawing sheets in compliance with 37 CFR 1.121(d) are required in reply to the Office

action to avoid abandonment of the application. Any amended replacement drawing sheet should

include all of the figures appearing on the immediate prior version of the sheet, even if only one

figure is being amended. The figure or figure number of an amended drawing should not be

labeled as "amended." If a drawing figure is to be canceled, the appropriate figure must be

removed from the replacement sheet, and where necessary, the remaining figures must be

renumbered and appropriate changes made to the brief description of the several views of the

drawings for consistency. Additional replacement sheets may be necessary to show the

renumbering of the remaining figures. Each drawing sheet submitted after the filing date of an

application must be labeled in the top margin as either "Replacement Sheet" or "New Sheet"

pursuant to 37 CFR 1.121(d). If the changes are not accepted by the Examiner, the Applicant will

be notified and informed of any required corrective action in the next Office action. The

objection to the drawings will not be held in abeyance.

Claim Objections

13.   **Claims 4, 5, 10-19, and 23-27** are objected to because of the following informalities:

- **Claims 4, 12, 13, and 23-26** recite the limitation "the cached topology." Applicant is

advised to change this limitation to read "the cached media topology" for the purpose of

providing it with proper explicit antecedent basis.

- **Claim 5** depends on Claim 4 and, therefore, suffers the same deficiency as Claim 4.

- **Claim 10** recites the limitation "the one or more computer-readable media."

Applicant is advised to change this limitation to read "the one or more computer-readable

storage media" for the purpose of providing it with proper explicit antecedent basis.

- **Claims 11-19** depend on Claim 10 and, therefore, suffer the same deficiency as

Claim 10.

- **Claims 23-25 and 27** recite the limitation "the partial topology." Applicant is advised to change this limitation to read "the partial media topology" for the purpose of providing it with proper explicit antecedent basis.

Appropriate correction is required.

Claim Rejections - 35 USC § 112

14.   The following is a quotation of the second paragraph of 35 U.S.C. 112:

> The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

15.   **Claim 9** is rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Claim 9 recites the limitation "the one or more intermediate nodes." There is insufficient antecedent basis for this limitation in the claim. In the interest of compact prosecution, the Examiner subsequently interprets this limitation as reading "the one or more nodes" for the purpose of further examination.

Claim Rejections - 35 USC § 102

16.   The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the

basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –
>
> (e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

17.   **Claims 1-5, 8-13, 19-24, and 27-29** are rejected under 35 U.S.C. 102(e) as being

anticipated by **Richter et al.** (US 6,725,279).

         As per **Claim 1**, Richter et al. disclose:

-     receiving a partial media topology that defines how data flows through a plurality of

nodes including at least a first media source node and at least a first media sink node *(see*

Column 3: 5-18, "In the example shown in the single figure, block B1 comprises an output

interface IS1 and block B2 comprises an input interface IE2 and an output interface IS2. For

each multimedia task, application interface IA creates a subset of the multimedia processing

blocks required to run said task.": Column 4: 28-31, "This architecture is particularly used to

implement very complex multimedia processing configurations using, for example, echo

suppressors or encoding or decoding blocks with a very simple application interface.");

-     retrieving a cached media topology that defines how data flows through a plurality of

nodes including at least a second media source node, at least a second media sink node, and at

least one transform node *(see Column 3: 5-18, "In the example shown in the single figure, block*

B1 comprises an output interface IS1 and block B2 comprises an input interface IE2 and an

output interface IS2. For each multimedia task, application interface IA creates a subset of the

multimedia processing blocks required to run said task."; Column 4: 28-31, "This architecture

is particularly used to implement very complex multimedia processing configurations using, for

example, echo suppressors or encoding or decoding blocks with a very simple application

interface."); and

    - copying one or more nodes from the cached media topology to the partial media

topology *(see Column 4: 7-19, "In the event of exchange being impossible, once the interfaces*

have been examined, the application interface modifies the composition of the subset in order to

obtain the exchanges required to run the multimedia task. The modification of the subset may

consist in adding an encoding/decoding block when the encoding format is incompatible. In

order for the block to be incorporated in the subset, it must, clearly, be included in the system. In

one version, a system could be envisaged wherein the application interface IA only orders the

processing blocks of the subset to connect together. All the system intelligence would then be

concentrated on the processing blocks.").

      As per **Claim 2**, the rejection of **Claim 1** is incorporated; and <u>Richter et al.</u> further

disclose:

    - wherein the partial media topology is received from a remote process as a parameter

in an interface call *(see Column 4: 2-6, "In the present example, the two blocks can communicate*

via the TDM bus using the G711 µ-law format. The application interface then validates the two

blocks in the subset and their use (use of the TDM bus and the G711 µ -law format.").

As per **Claim 3**, the rejection of **Claim 1** is incorporated; and <u>Richter et al.</u> further disclose:

- wherein the cached media topology is retrieved as a parameter in an interface call *(see Column 4: 2-6, "In the present example, the two blocks can communicate via the TDM bus using the G711 μ-law format. The application interface then validates the two blocks in the subset and their use (use of the TDM bus and the G711 μ -law format).").*

As per **Claim 4**, the rejection of **Claim 1** is incorporated; and <u>Richter et al.</u> further disclose:

- determining whether there are corresponding nodes in the partial media topology and the cached media topology *(see Column 3: 25-29, "For example, to determine whether or not a multimedia flow may be created between block B1 and block B2, the application interface examines the connecting ports of output interface IS1 of block 1 and those of the input interface of block B2.").*

As per **Claim 5**, the rejection of **Claim 4** is incorporated; and <u>Richter et al.</u> further disclose:

- transferring the at least one transform node from the cached media topology to the partial media topology *(see Column 4: 7-15, "The modification of the subset may consist in adding an encoding/decoding block when the encoding format is incompatible. In order for the block to be incorporated in the subset, it must, clearly, be included in the system.").*

As per **Claim 8**, the rejection of **Claim 1** is incorporated; and <u>Richter et al.</u> further disclose:

- connecting one or more nodes in the partial media topology *(see Column 3: 9-13, "Each multimedia processing block of the system comprises an output interface to connect it in send mode to one of the system communication buses and/or an input interface to connect it in receive mode to one of the system communication buses.")*.

As per **Claim 9**, the rejection of **Claim 8** is incorporated; and <u>Richter et al.</u> further disclose:

- wherein connecting the one or more nodes between the first media source node and the first media sink node comprises generating a data path between an output of a node and an input of an intermediate node *(see Column 3: 9-13, "Each multimedia processing block of the system comprises an output interface to connect it in send mode to one of the system communication buses and/or an input interface to connect it in receive mode to one of the system communication buses.")*.

As per **Claim 10,** <u>Richter et al.</u> disclose:

- one or more computer-readable storage media (see FIGURE); and
- a media engine embodied on the one or more computer-readable storage media and configured to communicatively interact with an application to present a media presentation *(see Column 3: 5-8, "The system in this FIGURE also comprises two multimedia processing blocks*

B1 and B2 to run a multimedia task. The blocks are declared to the application interface IA

when they are incorporated in the system. ");

- the media engine being configured to use:

- a media session to generate a partial topology, the partial topology including one

or more media sources, individual ones of which serving as a source of media content, and one

or more media sinks configured to sink a media stream *(see Column 3: 5-18, "In the example*

shown in the single figure, block B1 comprises an output interface IS1 and block B2 comprises

an input interface IE2 and an output interface IS2. For each multimedia task, application

interface IA creates a subset of the multimedia processing blocks required to run said task. ";

Column 4: 28-31, "This architecture is particularly used to implement very complex multimedia

processing configurations using, for example, echo suppressors or encoding or decoding blocks

with a very simple application interface. "); and

- a topology loader to resolve the partial topology into a full media topology,

wherein the topology loader is configured to copy one or more nodes from a cached media

topology to resolve the full media topology, and the topologies define a flow of data through the

nodes *(see Column 4: 7-19, "In the event of exchange being impossible, once the interfaces have*

been examined, the application interface modifies the composition of the subset in order to

obtain the exchanges required to run the multimedia task. The modification of the subset may

consist in adding an encoding/decoding block when the encoding format is incompatible. In

order for the block to be incorporated in the subset, it must, clearly, be included in the system. In

one version, a system could be envisaged wherein the application interface IA only orders the

processing blocks of the subset to connect together. All the system intelligence would then be concentrated on the processing blocks.").

As per **Claim 11**, the rejection of **Claim 10** is incorporated; and <u>Richter et al.</u> further disclose:

-    wherein the media session passes the partial topology to the topology loader as a parameter in an interface call *(see Column 4: 2-6, "In the present example, the two blocks can communicate via the TDM bus using the G711 μ-law format. The application interface then validates the two blocks in the subset and their use (use of the TDM bus and the G711 μ -law format).").*

As per **Claim 12**, the rejection of **Claim 10** is incorporated; and <u>Richter et al.</u> further disclose:

-    wherein the media session passes the cached media topology to the topology loader as a parameter in an interface call *(see Column 4: 2-6, "In the present example, the two blocks can communicate via the TDM bus using the G711 μ-law format. The application interface then validates the two blocks in the subset and their use (use of the TDM bus and the G711 μ -law format).").*

As per **Claim 13**, the rejection of **Claim 10** is incorporated; and <u>Richter et al.</u> further disclose:

- wherein the topology loader is configured to determine whether there are corresponding nodes in the partial topology and the cached media topology *(see Column 3: 25-29, "For example, to determine whether or not a multimedia flow may be created between block B1 and block B2, the application interface examines the connecting ports of output interface IS1 of block 1 and those of the input interface of block B2.")*.

As per **Claim 19**, the rejection of **Claim 10** is incorporated; and <u>Richter et al.</u> further disclose:

- wherein the topology loader returns a fully resolved topology to the media session *(see Column 4: 14-19, "In order for the block to be incorporated in the subset, it must, clearly, be included in the system. In one version, a system could be envisaged wherein the application interface IA only orders the processing blocks of the subset to connect together. All the system intelligence would then be concentrated on the processing blocks.")*.

As per **Claim 20**, <u>Richter et al.</u> disclose:

- receive a partial media topology defined by the flow of data through various components that includes a plurality of nodes including at least a first media source node and at least a first media sink node *(see Column 3: 5-18, "In the example shown in the single figure, block B1 comprises an output interface IS1 and block B2 comprises an input interface IE2 and an output interface IS2. For each multimedia task, application interface IA creates a subset of the multimedia processing blocks required to run said task."; Column 4: 28-31, "This architecture is particularly used to implement very complex multimedia processing*

configurations using, for example, echo suppressors or encoding or decoding blocks with a very simple application interface. ");

- retrieve a cached media topology that includes a plurality of nodes including at least a second media source node, at least a second media sink node, and at least one transform node *(see Column 3: 5-18, "In the example shown in the single figure, block B1 comprises an output interface IS1 and block B2 comprises an input interface IE2 and an output interface IS2. For each multimedia task, application interface IA creates a subset of the multimedia processing blocks required to run said task. "; Column 4: 28-31, "This architecture is particularly used to implement very complex multimedia processing configurations using, for example, echo suppressors or encoding or decoding blocks with a very simple application interface. ");* and

- copy one or more nodes from the cached media topology to a full resolved media topology *(see Column 4: 7-19, "In the event of exchange being impossible, once the interfaces have been examined, the application interface modifies the composition of the subset in order to obtain the exchanges required to run the multimedia task. The modification of the subset may consist in adding an encoding/decoding block when the encoding format is incompatible. In order for the block to be incorporated in the subset, it must, clearly, be included in the system. In one version, a system could be envisaged wherein the application interface IA only orders the processing blocks of the subset to connect together. All the system intelligence would then be concentrated on the processing blocks. ").*

As per **Claim 21**, the rejection of **Claim 20** is incorporated; and <u>Richter et al.</u> further disclose:

- wherein the partial media topology is received from a remote process as a parameter in an interface call *(see Column 4: 2-6, "In the present example, the two blocks can communicate via the TDM bus using the G711 μ-law format. The application interface then validates the two blocks in the subset and their use (use of the TDM bus and the G711 μ -law format).")*.

As per **Claim 22**, the rejection of **Claim 20** is incorporated; and <u>Richter et al.</u> further disclose:

- wherein the cached media topology is retrieved as a parameter in an interface call *(see Column 4: 2-6, "In the present example, the two blocks can communicate via the TDM bus using the G711 μ-law format. The application interface then validates the two blocks in the subset and their use (use of the TDM bus and the G711 μ -law format).")*.

As per **Claim 23**, the rejection of **Claim 20** is incorporated; and <u>Richter et al.</u> further disclose:

- determine whether there are corresponding nodes in the partial media topology and the cached media topology *(see Column 3: 25-29, "For example, to determine whether or not a multimedia flow may be created between block B1 and block B2, the application interface examines the connecting ports of output interface IS1 of block 1 and those of the input interface of block B2.")*.

As per **Claim 24**, the rejection of **Claim 20** is incorporated; and <u>Richter et al.</u> further disclose:

- transfer the at least one transform node from the cached media topology to the partial

media topology *(see Column 4: 7-15, "The modification of the subset may consist in adding an*

encoding/decoding block when the encoding format is incompatible. In order for the block to be

incorporated in the subset, it must, clearly, be included in the system.").

As per **Claim 27**, the rejection of **Claim 20** is incorporated; and <u>Richter et al.</u> further

disclose:

- connect one or more nodes in the partial media topology *(see Column 3: 9-13, "Each*

multimedia processing block of the system comprises an output interface to connect it in send

mode to one of the system communication buses and/or an input interface to connect it in receive

mode to one of the system communication buses.").

As per **Claim 28**, the rejection of **Claim 20** is incorporated; and <u>Richter et al.</u> further

disclose:

- generate a data path between an output of an upstream node and an input of a

downstream node *(see Column 3: 9-13, "Each multimedia processing block of the system*

comprises an output interface to connect it in send mode to one of the system communication

buses and/or an input interface to connect it in receive mode to one of the system communication

buses.").

As per **Claim 29**, <u>Richter et al.</u> disclose:

- means for receiving a partial media topology that defines how data flows through a

plurality of nodes including at least a first media source node and at least a first media sink node

(see Column 3: 5-18, "In the example shown in the single figure, block B1 comprises an output

interface IS1 and block B2 comprises an input interface IE2 and an output interface IS2. For

each multimedia task, application interface IA creates a subset of the multimedia processing

blocks required to run said task."; Column 4: 28-31, "This architecture is particularly used to

implement very complex multimedia processing configurations using, for example, echo

suppressors or encoding or decoding blocks with a very simple application interface.");

- means for retrieving a cached media topology that defines how data flows through a

plurality of nodes including at least a second media source node, at least a second media sink

node, and at least one transform node *(see Column 3: 5-18, "In the example shown in the single*

figure, block B1 comprises an output interface IS1 and block B2 comprises an input interface

IE2 and an output interface IS2. For each multimedia task, application interface IA creates a

subset of the multimedia processing blocks required to run said task."; Column 4: 28-31, "This

architecture is particularly used to implement very complex multimedia processing

configurations using, for example, echo suppressors or encoding or decoding blocks with a very

simple application interface."); and

- means for copying one or more nodes from the cached media topology to a fully

resolved media topology *(see Column 4: 7-19, "In the event of exchange being impossible, once*

the interfaces have been examined, the application interface modifies the composition of the

subset in order to obtain the exchanges required to run the multimedia task. The modification of

the subset may consist in adding an encoding/decoding block when the encoding format is

incompatible. In order for the block to be incorporated in the subset, it must, clearly, be included

in the system. In one version, a system could be envisaged wherein the application interface IA

only orders the processing blocks of the subset to connect together. All the system intelligence

would then be concentrated on the processing blocks. ").

Claim Rejections - 35 USC § 103

18.   The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

19.   **Claims 6, 14-16, and 25** are rejected under 35 U.S.C. 103(a) as being unpatentable over

Richter et al. (US 6,725,279) in view of **McNally et al.** (US 6,549,932).

As per **Claim 6**, the rejection of **Claim 1** is incorporated; however, Richter et al. do not

disclose:

-   cloning a plurality of connected nodes from the cached media topology into the

partial media topology.

McNally et al. disclose:

-   cloning a plurality of connected nodes from the cached media topology into the

partial media topology *(see Column 11: 50-54, "If the outcome of the test at step 70 is positive,*

the software agent is cloned at step 72 and then launched over an identified path at step 74. This

routine continues in an iterative manner until all software agents have either extinguished

themselves or returned back to the dispatcher. ").

Therefore, it would have been obvious to one of ordinary skill in the art at the time the

invention was made to incorporate the teaching of McNally et al. into the teaching of Richter et

al. to include cloning a plurality of connected nodes from the cached media topology into the

partial media topology. The modification would be obvious because one of ordinary skill in the

art would be motivated to maintain the (software) agent at the platform, and thus, a future

operation at the node may be simplified by having a previously executed (software) agent (or

some portion thereof) already resident *(see McNally et al. – Column 11: 38-46).*

As per **Claim 14**, the rejection of **Claim 10** is incorporated; however, Richter et al. do

not disclose:

-   · wherein the topology loader is configured to clone one or more intermediate nodes

from the cached media topology, and to connect the one or more intermediate nodes in a

communication path between a media source and a media sink in a partial topology.

McNally et al. disclose:

-    wherein the topology loader is configured to clone one or more intermediate nodes

from the cached media topology, and to connect the one or more intermediate nodes in a

communication path between a media source and a media sink in a partial topology *(see Column*

11: 50-54, "If the outcome of the test at step 70 is positive, the software agent is cloned at step

72 and then launched over an identified path at step 74. This routine continues in an iterative

manner until all software agents have either extinguished themselves or returned back to the

dispatcher.").

Therefore, it would have been obvious to one of ordinary skill in the art at the time the

invention was made to incorporate the teaching of McNally et al. into the teaching of Richter et

al. to include wherein the topology loader is configured to clone one or more intermediate nodes

from the cached media topology, and to connect the one or more intermediate nodes in a

communication path between a media source and a media sink in a partial topology. The

modification would be obvious because one of ordinary skill in the art would be motivated to

maintain the (software) agent at the platform, and thus, a future operation at the node may be

simplified by having a previously executed (software) agent (or some portion thereof) already

resident *(see McNally et al. – Column 11: 38-46).*

As per **Claim 15**, the rejection of **Claim 14** is incorporated; and Richter et al. further

disclose:

- wherein the one or more intermediate nodes comprise a decoder for decoding an

output of a source node *(see Column 4: 28-31, "This architecture is particularly used to*

implement very complex multimedia processing configurations using, for example, echo

suppressors or encoding or decoding blocks with a very simple application interface.").

As per **Claim 16**, the rejection of **Claim 14** is incorporated; and Richter et al. further

disclose:

- wherein the one or more intermediate nodes comprises an encoder for encoding an input of a source node *(see Column 4: 28-31, "This architecture is particularly used to implement very complex multimedia processing configurations using, for example, echo suppressors or encoding or decoding blocks with a very simple application interface.").*

As per **Claim 25,** the rejection of **Claim 20** is incorporated; however, Richter et al. do not disclose:

- clone a plurality of connected nodes from the cached media topology into the partial media topology.

McNally et al. disclose:

- clone a plurality of connected nodes from the cached media topology into the partial media topology *(see Column 11: 50-54, "If the outcome of the test at step 70 is positive, the software agent is cloned at step 72 and then launched over an identified path at step 74. This routine continues in an iterative manner until all software agents have either extinguished themselves or returned back to the dispatcher.").*

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate the teaching of McNally et al. into the teaching of Richter et al. to include clone a plurality of connected nodes from the cached media topology into the partial media topology. The modification would be obvious because one of ordinary skill in the art would be motivated to maintain the (software) agent at the platform, and thus, a future operation at the node may be simplified by having a previously executed (software) agent (or some portion thereof) already resident *(see McNally et al. – Column 11: 38-46).*

20.   **Claims 7, 17, 18, and 26** are rejected under 35 U.S.C. 103(a) as being unpatentable over

Richter et al. (US 6,725,279).

As per **Claim 7**, the rejection of **Claim 1** is incorporated; however, Richter et al. do not

disclose:

-    maintaining a data table that correlates one or more decoders in the cached media

topology with one or more source nodes in the cached media topology.

Official Notice is taken that it is old and well-known within the computing art to use a

table to define a relationship between related data. A relationship table is often used in a database

to correlate a many-to-many relationship between two groups of data. Therefore, it would have

been obvious to one of ordinary skill in the art at the time the invention was made to include

maintaining a data table that correlates one or more decoders in the cached media topology with

one or more source nodes in the cached media topology. The modification would be obvious

because one of ordinary skill in the art would be motivated to associate a decoder with a source

node in a media topology.

As per **Claim 17**, the rejection of **Claim 10** is incorporated; however, Richter et al. do

not disclose:

-    wherein the topology loader is configured to maintain a data table that associates one

or more decoder nodes with a source node from one or more previous topologies.

Official Notice is taken that it is old and well-known within the computing art to use a

table to define a relationship between related data. A relationship table is often used in a database

to correlate a many-to-many relationship between two groups of data. Therefore, it would have

been obvious to one of ordinary skill in the art at the time the invention was made to include

wherein the topology loader is configured to maintain a data table that associates one or more

decoder nodes with a source node from one or more previous topologies. The modification

would be obvious because one of ordinary skill in the art would be motivated to associate a

decoder with a source node in a media topology.

As per **Claim 18**, the rejection of **Claim 10** is incorporated; however, Richter et al. do

not disclose:

-    wherein the topology loader maintains a data table that stores one or more encoder

nodes from one or more previous topologies.

Official Notice is taken that it is old and well-known within the computing art to use a

table to define a relationship between related data. A relationship table is often used in a database

to correlate a many-to-many relationship between two groups of data. Therefore, it would have

been obvious to one of ordinary skill in the art at the time the invention was made to include

wherein the topology loader maintains a data table that stores one or more encoder nodes from

one or more previous topologies. The modification would be obvious because one of ordinary

skill in the art would be motivated to keep track of encoders in a media topology.

As per **Claim 26**, the rejection of **Claim 20** is incorporated; however, <u>Richter et al.</u> do not disclose:

- maintain a data table that correlates one or more decoders in the cached media topology with one or more source nodes in the cached media topology.

Official Notice is taken that it is old and well-known within the computing art to use a table to define a relationship between related data. A relationship table is often used in a database to correlate a many-to-many relationship between two groups of data. Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to include maintain a data table that correlates one or more decoders in the cached media topology with one or more source nodes in the cached media topology. The modification would be obvious because one of ordinary skill in the art would be motivated to associate a decoder with a source node in a media topology.

Response to Arguments

21.   Applicant's arguments with respect to Claims 1, 10, 20, and 29 have been considered, but are moot in view of the new ground(s) of rejection.

Conclusion

22.   Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL.** See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE

MONTHS from the mailing date of this action. In the event a first reply is filed within TWO

MONTHS of the mailing date of this final action and the advisory action is not mailed until after

the end of the THREE-MONTH shortened statutory period, then the shortened statutory period

will expire on the date the advisory action is mailed, and any extension fee pursuant to 37

CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event,

however, will the statutory period for reply expire later than SIX MONTHS from the date of this

final action.

Any inquiry concerning this communication or earlier communications from the

Examiner should be directed to Qing Chen whose telephone number is 571-270-1071. The

Examiner can normally be reached on Monday through Thursday from 7:30 AM to 4:00 PM.

The Examiner can also be reached on alternate Fridays.

If attempts to reach the Examiner by telephone are unsuccessful, the Examiner's

supervisor, Wei Zhen, can be reached on 571-272-3708. The fax phone number for the

organization where this application or proceeding is assigned is 571-273-8300.

Any inquiry of a general nature or relating to the status of this application or proceeding

should be directed to the TC 2100 Group receptionist whose telephone number is 571-272-2100.

Information regarding the status of an application may be obtained from the Patent

Application Information Retrieval (PAIR) system. Status information for published applications

may be obtained from either Private PAIR or Public PAIR. Status information for unpublished

applications is available through Private PAIR only. For more information about the PAIR

system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR

system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

QC / *ac*
October 18, 2007

WEI ZHEN
SUPERVISORY PATENT EXAMINER